

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JULIO CESAR CABALLERO BARRAZA,  
and SARAHI RIVERA FLORES**

**Plaintiffs,**

**v.**

**No. 1:13-cv-01007 SCY-SMV**

**NEW MEXICO DEPARTMENT OF PUBLIC SAFETY;  
GORDEN E. EDEN, Secretary of Department of  
Public Safety in his Individual and official capacities;  
NEW MEXICO STATE POLICE; CHIEF Chris Kassetas  
in his individual and official capacities; Deputy Chief DAVID  
MARTINEZ of the Investigations Bureau in his individual and official capacities;  
CAPTAIN JUAN MARTINEZ in charge of the North Zone Investigations Bureau in his  
individual and official capacities; and  
SERGEANT CHRIS VALDEZ in his individual and official  
capacities; AGENT LORENZO AGUIRRE in his individual and  
official capacities; AGENT JOEY GALLEGOS in his individual  
and official capacities; and OFFICER MICHAEL DIAS in his  
individual and official capacities,**

**Defendants.**

**JOINT MOTION TO DISMISS**

COME NOW Plaintiffs, Julio Cesar Caballero Barraza and Sarahi Rivera Flores, and the individually named Defendants, Gorden E. Eden, Chief Chris Kassetas, Deputy Chief David Martinez, Captain Juan Martinez, Sergeant Chris Valdez, Agent Lorenzo Aguirre, Agent Joey Gallegos, and Officer Michael Dias, by and through their attorneys of record, and pursuant to Fed. R.Civ.P. 41, hereby jointly move this Court for its Order to Dismiss Plaintiffs' claims against the foregoing individual Defendants with prejudice.

WHEREFORE, the parties respectfully request that the Court enter its Order dismissing Plaintiffs' claims against Defendants Gorden E. Eden, Chief Chris Kassetas, Deputy Chief David Martinez, Captain Juan Martinez, Sergeant Chris Valdez, Agent Lorenzo Aguirre, Agent Joey

Gallegos, and Officer Michael Dias with prejudice, with each party to bear their own costs and attorney fees. A Stipulated Order of Dismissal accompanies this motion.

Respectfully submitted,

**Noble & Vrapì, P.A.**

/s/ Approved via email on August 19, 2014

Jessica K Miles

Olsi Vrapì

*Attorneys for Plaintiffs*

4253 Montgomery Blvd. Suite 240

Albuquerque, NM 87109

Tel: (505) 352-6660

Fax: (505) 872-6120

**Jarmie & Associates**

/s/ Telephonically approved on August 19, 2014

Mark D. Jarmie

514 Marble Ave. NW

Albuquerque, NM 87102

*Attorney for Defendants DPS, Secretary Eden,  
Chief Schilling, and Major David Martinez and  
Captain Juan Martinez*

Tel: (505) 242-5222

Fax: (505) 242-5777

**Doughty, Alcaraz & deGraauw, P.A.**

/s/ Telephonically approved on August 19, 2014

Robert M. Doughty III

20 First Plaza NW, Suite 412

Albuquerque, NM 87102

*Attorney for Defendant Michael Diaz*

Tel: (505) 242-7070

Fax: (505) 242-8707

**Law Office of Michael Dickman**

/s/ Approved via email on August 19, 2014

Michael Dickman  
701 W Manhattan Ave  
Santa Fe, NM 87501  
*Attorney for Defendant Joey Gallegos*  
Tel: (505) 989-9360  
Fax: (505) 992-8170

**Narvaez Law Firm, P.A.**

/s/ Henry F. Narvaez

Henry F. Narvaez  
Fernando C. Palomares  
*Attorneys for Defendants*  
*Chris Valdez and Lorenzo Aguirre*  
P.O. Box 25967  
Albuquerque, New Mexico 87125-0967  
Tel: (505) 248-0500  
Fax: (505) 247-1344